

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY MURILLO,

No. C 08-630 MHP (pr)

Plaintiff,

**ORDER OF DISMISSAL**

v.

B. CURRY; et al.,

Defendants.

This pro se civil rights action was filed on January 28, 2008, at which time the court notified plaintiff in writing that the action was deficient due to the failure to pay the filing fee or furnish a completed and signed court-approved in forma pauperis application. Plaintiff was advised that failure to pay the fee or file the application materials within thirty days would result in dismissal of the action. Plaintiff did not pay the filing fee or submit an in forma pauperis application. The certificate of funds he submitted without any in forma application does not suffice as an application. The action is DISMISSED without prejudice for failure to pay the filing fee or submit a completed in forma pauperis application. Plaintiff may file a new action, but should include a filing fee or an in forma pauperis application with a new complaint to commence that new action. The clerk shall close the file.

IT IS SO ORDERED.

DATED: July 14, 2008

  
Marilyn Hall Patel  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY MURILLO,  
Plaintiff,

Case Number: CV08-00630 MHP

**CERTIFICATE OF SERVICE**

v.

B. CURRY et al,

Defendant.

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 16, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Anthony Murillo F 60171  
2201 Northview Drive  
#109  
Sacramento, CA 95833

Dated: July 16, 2008

Richard W. Wieking, Clerk  
By: Anthony Bowser, Deputy Clerk